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International Union Health and Welfare Fund**

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE ABBOTT LABS NORVIR
ANTITRUST LITIGATION

) No. C-04-1511 CW
)
) **ORDER GRANTING STIPULATED**
) **REQUEST PURSUANT TO LOCAL RULE**
) **6-2 FOR MODIFICATION OF THE**
) **BRIEFING SCHEDULE ON**
) **DEFENDANTS' MOTION FOR**
) **SUMMARY JUDGMENT**
)

By the signatures of their counsel to this Stipulation, the parties to this action agree and stipulate as follows:

RECITALS

WHEREAS by order dated September 12, 2005, the Court set a briefing schedule on defendants' motion for summary judgment.

[C-04-1511 CW] STIPULATED REQUEST FOR MODIFICATION OF
BRIEFING SCHEDULE

WHEREAS defendants' motion for summary judgment presently is due **December 30, 2005**; plaintiffs' opposition is due no later than **January 13, 2006**; and defendants' reply is due no later than **January 27, 2006**.

WHEREAS the hearing on defendants' motion for summary judgment is set for **February 10, 2006**, at 10:00 a.m.

WHEREAS the parties seek a modification of the briefing in order to permit each party to depose declarants on which the opposing party rely in connection with the motion for summary judgment.

WHEREAS the parties have, subject to Court approval, agreed that plaintiffs be permitted thirty days in which to file their opposition to the motion for summary judgment; and defendants be permitted twenty-one days in which to file their reply to plaintiffs' opposition.

WHEREAS there have been seven time modifications in this case. None of these time modifications were with respect to the instant motion for summary judgment.

STIPULATION

The parties hereby stipulate and respectfully request that the Court approve the following:

The motion for summary judgment is now due **January 9, 2006**.

Plaintiffs' opposition to the motion for summary judgment is now due **February 10, 2006**.

Defendants' reply to the opposition is now due **March 3, 2006**.

The parties respectfully suggest that the Court hear argument on **March 24, 2006**, or on whatever other date that will suit the Court's convenience.

IT IS SO STIPULATED.

DATED: December 9, 2005

**BERMAN DEVALERIO PEASE TABACCO
BURT & PUCILLO**

By _____
CHRISTOPHER T. HEFFELFINGER

Attorneys for Plaintiffs
John Doe 1 and John Doe 2

1
2 DATED: December 15, 2005

LABATON RUDOFF & SUCHAROW LLP

3
4 By _____
MICHAEL W. STOCKER

5 Attorneys for Plaintiff
6 Service Employees International Union Health and
Welfare Fund

7 DATED: December 15, 2005

WINSTON & STRAWN LLP

8
9 By _____
DAVID J. DOYLE

10 Attorneys for Defendant
11 Abbott Laboratories

12 **ORDER**

13 Pursuant to the Stipulation, IT IS SO ORDERED.
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15 DATED: 12/15/05

/s/ CLAUDIA WILKEN _____

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17 Claudia Wilken
United States District Judge
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